

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of new my energy bill+ program with income qualified component, by Duke Energy Florida, LLC.

DOCKET NO. 20220106-EI
ORDER NO. PSC-2022-0304-PCO-EI
ISSUED: August 17, 2022

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman
ART GRAHAM
GARY F. CLARK
MIKE LA ROSA
GABRIELLA PASSIDOMO

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

BACKGROUND

On June 3, 2022, Duke Energy Florida, LLC (Duke or utility) filed a petition requesting approval of a new fixed (or flat) bill program called My Energy Bill+. This proposal is similar in structure to Duke's current Your Fixed Bill tariff. A flat bill tariff allows participating customers to receive a fixed monthly bill for 12 months, which is calculated using the prior 12-months average usage plus an additional risk and usage adder. Customers who voluntarily enroll in a fixed bill program need to enter into a Service Agreement with the utility for a term of 12 months. The Service Agreement will automatically renew for an additional 12 months, unless the customer notifies the utility prior to the renewal date. On the enrollment anniversary, the utility will issue a new monthly flat bill amount for the upcoming year based upon updated usage and risk parameters.

Under the proposed tariff, Duke would offer qualifying residential customers a monthly flat bill rate that includes a reduced risk premium compared to the risk premium in its current Your Fixed Bill program. The current Your Fixed Bill program has a risk adder of 6 percent, while the new My Energy Bill+ program limits the risk adder to 4 percent. In exchange for the reduced risk premium, the proposed My Energy Bill+ program would require customers to grant Duke access to control their thermostats during periods of peak usage. In addition, Duke would offer 1,000 free smart thermostats to income-qualified customers. This program was originally conceptualized in a Memorandum of Understanding between Duke, Vote Solar, the CLEO Institute and the Southern Alliance for Clean Energy, which was filed in Docket No. 20210016-EI.¹

¹ Document No. 03685-2021, Docket No. 20210016-EI, *In re: Duke Energy Florida, LLC's Petition for Limited Proceeding to Approve 2021 Settlement Agreement Including General Base Rate Increases.*

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This order addresses the suspension of these proposed tariffs. We have jurisdiction over this matter pursuant to Section 366.06, Florida Statutes (F.S.).

DECISION

Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of the new rate schedules delivering to the utility requesting such a change a reason or written statement of good cause for doing so within 60 days. Upon review of the filing, our staff has stated that it needs more time to gather and review all pertinent information in order to present us with an informed recommendation on the proposed tariffs. We find this to be good cause consistent with the requirements of Section 366.06(3), F.S., and hereby suspend the proposed tariffs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Duke Energy Florida, LLC's proposed My Energy Bill+ program and associated tariffs shall be suspended to allow Commission staff sufficient time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the tariff proposal. It is further

ORDERED that this docket shall remain open pending our decision on the proposed tariffs.

By ORDER of the Florida Public Service Commission this 17th day of August, 2022.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
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Tallahassee, Florida 32399
(850) 413-6770
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.